

REMARKS

Claims 1-10 and 20-31 are pending in the application.

35 USC 112 First Paragraph Rejection of Claims 1, 20 and 26

The Examiner indicated rejected claims 1, 20 and 26 as allegedly failing to comply with the enablement requirement under 35 USC 112 was maintained in the Advisory Action dated November 17, 2005. In particular, the Examiner alleged that there is no description in Applicants' specification for "a far end password entered at said time of facsimile initiation".

Although Applicant believes, as previously pointed out, the rejected claim language is supported by Applicants' specification, claims 1, 20 and 26 are amended herein to remove the recited "a far end password entered at said time of facsimile initiation". Claims 1, 20 and 26 now read a "far end password entered after communications between a near end fax and a far-end fax have begun".

The Examiner is directed to Applicants' specification at, e.g., page 5 beginning at line 26 for support of a "far end password entered after communications between a near end fax and a far-end fax have begun":

The notification signal is intended to be used to notify an intended recipient that communications between the near end fax 100 and far-end fax 200 have begun, and that the near end fax 100 is awaiting the input and transmission of the far end password P_{PW}. This spares the recipient the time-consuming experience of waiting by the far end fax 200 for a transmission to begin or end before entering a password.

Thus, Applicants' specification discloses that the facsimile process, i.e., transmission of a facsimile from one fax machine to another fax machine, beings and is suspended until an input and transmission of a far end password to the near end fax machine. Thus, Applicants' specification discloses a "far end password entered after communications between a near end fax and a far-end fax have begun".

It is respectfully submitted that claims 1, 10 and 26 are in full conformance with 35 USC 112. It is respectfully requested that the rejection be withdrawn.

Comments over cited prior art

Claims 1-6, 7-10, 20, 21, 23-27, 29 and 30 over Tadayuki

Claims 1-6, 7-10, 20, 21, 23-27, 29 and 30 were rejected under 35 U.S.C. §102(b) in the Office Action issued March 31, 2005 as allegedly being anticipated by Japanese Publication No. 10-070528 to Yasumoto Tadayuki et al. (“Tadayuki”). The Applicants respectfully traverse the rejection.

Claims 1-6, 7-10, 20, 21, 23-27, 29 and 30 recite a system and method of facsimile that rely on a far end password entered **AFTER** communications between a near end fax and a far-end fax have begun.

Tadayuki appears to disclose a system and method of sending a confidential communication after it is confirmed that a receiving side is in a reception enabled state (See Abstract). A user ID, a password, an electronic mail address and a provider type are registered to a user table for each user (See Tadayuki, Solution). A password that is registered beforehand is compared on a transmitting side to check that it is in agreement with a password that is registered beforehand (See Takayuki, paragraph 0007). A table T1 stores the user ID, the password, the email-address and provider classification for each user (See Takayuki, paragraph 0031).

Thus, Tadayuki relies on a pre-registered table that stores a user ID, a password, an electronic mail address and a provider for a particular user. Tadayuki fails to disclose or suggest a system and method of facsimile that rely on far end password entered **after** communications between a near end fax and a far-end fax have begun, as recited by claims 1-6, 7-10, 20, 21, 23-27, 29 and 30.

A benefit of a system and method of facsimile that rely on a far end password entered **after** communications between a near end fax and a far-end fax have begun is, e.g., spontaneous transmission of a confidential facsimile. With the prior art, a user must a table to send a confidential facsimile at both a

near end facsimile machine and a far end facsimile machine. The Applicants' claimed features allow a user to spontaneously approach and use a facsimile machine to send a confidential facsimile without requiring a user to set up a table in advance to store a password, providing a greater degree of security. The prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1-6, 7-10, 20, 21, 23-27, 29 and 30 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 7, 22 and 28 over Tadayuki in view of Schneider

Claims 7, 22 and 28 were rejected under 35 U.S.C. §103(a) in the Office Action issued March 31, 2005 as allegedly being obvious over Tadayuki in view of *Applied Cryptography Protocols, Algorithms, and Source Code in C* by Bruce Schneider ("Schneider"). The Applicants respectfully traverse the rejection.

Claims 7, 22 and 28 recite a system and method of facsimile that rely far end password entered after communications between a near end fax and a far-end fax have begun.

As discussed above, Tadayuki fails to disclose or suggest a system and method of facsimile that rely on a far end password entered after communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.

The Office Action relied on Schneider to allegedly make up for the deficiencies in Tadayuki to arrive at the claimed features. The Applicants respectfully disagree.

Schneider is relied on to disclose PGP encryption. However, Schneider fails to disclose or suggest any application to a facsimile, much less disclose or suggest a system and method of facsimile that rely on a facsimile transmission with a far end password entered after communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.

Thus, even if it were obvious to modify Tadayuki with Schneider (which it is not), the theoretically result would fail to disclose or suggest a system

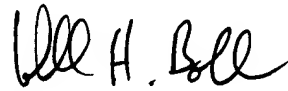
and method of facsimile that rely on a far end password entered after communications between a near end fax and a far-end fax have begun, as recited by claims 7, 22 and 28.

For at least all the above reasons, claims 7, 22 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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